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To:	USPTO Examiner Vivian Chen Art Unit 1773	From:	Claire Wygand for Cathy R. Moore Phone: (704) 365-4881 Fax: (704) 365-4851
Fax:	(703) 872-9308	Pages:	16 pages total Transmittal facsimile cover sheet (1 page) Fee Sheet (1 page) Terminal Disclaimer (1 page) Amendment (13 pages)
Phone:		Date:	March 16, 2005
Re:	Application No. 10/760,987 Filed January 20, 2004 Our Ref.: 03/007MFE Response to Office Action dated 12/17/04	CC:	

Dear Examiner Chen,

Attached are the documents as indicated above.

Respectfully submitted,

Claire Wygand

Claire Wygand

PTO/SB/17 (10-03)

Approved for use through 07/31/2008. OMB 0881-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$)**120.00****Complete If Known**

Application Number	10/760,987
Filing Date	Jan. 20, 2004
First Named Inventor	Oliver KLEIN
Examiner Name	Vivian Chen
Art Unit	1773
Attorney Docket No.	03/007MFE

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

Deposit Account Number	50-2193
Deposit Account Name	ProPat, LLC

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	180	2005	80	Provisional filing fee	
SUBTOTAL (1)				(\$)	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	280	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)				(\$)	0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	60	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	2053	130	Non-English specification	
1812	2,520	2812	2,520	For filing a request for ex parte reexamination	
1804	920*	2804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	2805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	65	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	960	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	840	2503	320	Plant issue fee	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	2807	50	Processing fee under 37 CFR 1.17(q)	
1808	180	2808	180	Submission of Information Disclosure Stmt	
8021	40	28021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	2802	900	Request for expedited examination of a design application	
SUBTOTAL (3)				(\$)	130.00

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**130.00****SUBMITTED BY**

Name (Print/Type)	Cathy R. Moore	Registration No. (Attorney/Agent)	45,764	Telephone	704 365-4881
Signature	<i>Cathy Moore</i>	Date	March 16, 2005		

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney Docket No. 03/007 MFE
Customer No. 38263

MAR 16 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Klein *et al.*

Group Art Unit: 1773

Application No.: 10/760,987

Examiner: V. Chen

Filed: January 20, 2004

Confirmation No.: 3479

For: POLYESTER FILM HAVING
IMPROVED OXYGEN BARRIER, COMPRISING
POLY(M-XYLENEADIPAMIDE)AND
A BARRIER COATING, PROCESS FOR ITS
PRODUCTION AND ITS USE

AMENDMENT

Commissioner for Patents
Alexandria, VA 22313-1450

Charlotte, North Carolina
March 16, 2005

Dear Sir:

In response to the non-final Office Action dated December 17, 2004, kindly consider the following amendments and remarks. In addition, Applicants submit herewith a terminal disclaimer to be charged to Deposit Account 50-2193.

Amendments to the Claims are reflected in the listing of claims which begins on Page 2 of this paper.

Remarks begin on Page 5 of this paper.